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I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Jeffrey R. Filipek ...

December 21, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

: Mail Stop: 313(c)

Mitsuaki OSHIMA et al.

Confirmation No. 6143

Serial No. 09/677,420

[Group Art Unit 2634

Filed October 5, 2000

Examiner A. Le]

COMMUNICATION SYSTEM

:

PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 CFR 1.313(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

Sir:

It is hereby requested that the above-identified application be withdrawn from issue under 37 CFR 1.313(c) for consideration of a Request for Continued Examination in Compliance with Section 1.114 filed concurrently herewith. This petition is being filed to permit the Examiner to consider the Information Disclosure Statement filed herewith along with the Request for Continued Examination.

The Patent Office is authorized to charge the Deposit Account of the undersigned (23-0975) for the required fee under 37 CFR 1.17(h).

Respectfully submitted,

Mitsuaki OSHIMA et al.

Filipek

Registration No. 41,471 Attorney for Patentees

JRF/fs Washington, D.C. 20006-1021 Telephone (202) 721-8200 Facsimile (202) 721-8250 December 21, 2004 Michael R. Davis Matthew M. Jacob Warren M. Cheek, Jr. NIIs F. Pedersen Charles R. Wetts Michael S. Huppert Jeffrey R. Fillpek

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FACSIMILE COVER SHEET

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Date: December 21, 2004

Examiner A. Le, Group Art Unit 2634 To:

Fax No.: (571) 273-0025

Confirmation No. 6143

From: Jeffrey R. Filipek

Number of pages being transmitted, including this cover sheet: 36

Please direct all questions concerning the transmittal of these pages to Fatema Seraj.

RE: Serial No. 09/677,420 (Mitsuaki OSHIMA et al.), filed October 5, 2000

MESSAGE:

ATTACHED HEREWITH ARE THE FOLLOWING ITEMS:

- 1. Patent Office Fee Transmittal Form
- 2. Request for Continued Examination (RCE) Transmittal
- Petition for Withdrawal from Issue Under 37 CFR 1.313(c) 3.
- 4.. Information Disclosure Statement
- 5. Form PTO 1449
- 6. (3) References

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COMMUNICATION SYSTEM

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THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT **ACCOUNT NO. 23-0975**

Sir:

Please charge the amount of \$920.00 to the Deposit Account No. 23-0975 to cover Patent Office fees relating to filing the following attached papers:

Request for Continued Examination (RCE) \$790.00

Petition for Withdrawal from Issue Under 37 CFR 1.313(c) \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted.

Mitsuaki

ation No. 41,471 ttorney for Patentees

JRF/fs WENDEROTH, LIND & PONACK, L.L.P. 2033 K St., N.W., Suite 800 Washington, D.C. 20006-1021 Telephone (202) 721-8200 December 21, 2004

[Check No. ____